

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|---------------------------|---|-------------------------------|
| ROBERT E. CHENCINSKI, JR. |) | |
| |) | 08 C 3130 |
| Plaintiff, |) | |
| v. |) | Honorable Robert W. Gettleman |
| |) | |
| THOMAS DART, ET AL., |) | |
| |) | |
| Defendants. |) | |

**MOTION TO ENLARGE THE TIME PERIOD IN WHICH
TO MOVE, ANSWER OR OTHERWISE PLEAD**

Defendants, Supt. Jessie Anderson and Capt. Michael Darcy, through their attorney, RICHARD A. DEVINE, State's Attorney of Cook County, by his Assistant State's Attorney, Daniel J. Fahlgren, pursuant to Federal Rule of Civil Procedure 6(b)(1), move this Honorable Court to enlarge the time period in which to answer or otherwise plead to September 5, 2008, and to vacate any and all defaults that may have been entered. In support, defendants state:

1. Defendants were served with process on July 10, 2008 at the Cook County Jail.
2. Through the Cook County Sheriff's Office, both Defendants requested representation from the Cook County State's Attorney's Office.
3. On July 30, 2008 the undersigned attorney was assigned to represent the defendants in this matter. Defendants' answer to the complaint is due July 30, 2008.
4. The undersigned immediately ordered all Cook County Department of Corrections records and Cermak Health Services Medical records that may be germane to Plaintiff's claims of punitive jail conditions and denial of medical care at Cook County Jail.

5. That once the undersigned attorney is in receipt of all relevant jail and medical records regarding the incident(s) alleged in the complaint, he will have to determine whether an answer or dispositive motion should be filed on behalf of the defendants. If an answer is to be filed, the undersigned must meet with all served defendants to prepare their answers and determine whether any conflict in representation exists.

6. On July 23, 2008, after the original attorney appointed by the court withdrew his appearance, the court appointed Zachary T. Fardon to represent Plaintiff. As of the time this motion was filed, Mr. Fardon had not yet filed his appearance for Plaintiff.

7. Plaintiff is currently serving a seven-year sentence in the Shawnee Correctional Center in downstate Vienna, Illinois and will not be prejudiced by the enlargement of time requested herein.

8. The undersigned attorney is not being dilatory in bringing this motion, and apologizes to this Honorable Court for any inconvenience that this delay may cause.

WHEREFORE, the defendants respectfully request that this Honorable Court grant an enlargement of time until September 5, 2008 to move, answer or otherwise plead in this matter.

Defendants also respectfully request that the court vacate any defaults, technical or otherwise that may have been entered.

Respectfully submitted
RICHARD A. DEVINE
State's Attorney of Cook County

By: s/Daniel J. Fahlgren
Daniel J. Fahlgren 6201163
Assistant State's Attorney
500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-3304